



Application Serial No.: 09/583,734
Attorney Docket No.: 042846-0312790

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Avner SHAFRIR, *et al.*
SERIAL NUMBER: 09/583,734 EXAMINER: Tadesse Hailu
FILING DATE: May 31, 2000 ART UNIT: 2173
FOR: COLLABORATIVE APPLICATION WITH INDICATOR OF CONCURRENT USERS

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

In response to the Advisory Action mailed November 23, 2005, Applicant requests review of the final rejection in the above-identified application. This request is being concurrently filed with a Notice of Appeal. The review is requested for the reasons provided in the **Remarks** beginning on page 2 of this paper. A total of 3 pages are provided.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 033975 (**Ref. No. 042846-00312790**).

Remarks

Claims 1-23 are all the claims pending in this application. In view of the following remarks, the rejection of all of the pending claims should be withdrawn.

Claim Rejection under 35 U.S.C. § 103

Claims 1-23 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over Mirabilis LTD, Quick Tour (“Quick Tour”), allegedly disclosed February 12, 1998, in view of ICQ Inc., ICQ Email Signature (“Email Signature”), allegedly disclosed May 2, 1999. Applicants respectfully traverse this rejection.

Independent claim 1 recites, among other things, “user indicator presentation means enabling presentation of at least one user indicator within two or more types of electronic documents, wherein the electronic document types are capable of being generated using the two or more types of applications and wherein each user indicator is associated with the one or more target network users.” Quick Tour and Email Signature, both alone and in combination with one another, fail to teach or suggest these features.

Quick Tour appears to describe a method for downloading, installing, and configuring the ICQ application. However, Quick Tour fails to teach or suggest generating two or more types of electronic documents using two or more types of applications and presenting one or more user indicators within the tow or more types of electronic documents. The examiner acknowledges that Quick Tour fails to disclose these features, and relies on Email Signature to overcome this deficiency (see Final Office Action, page 5). However, Email Signature does not disclose these features.

Email Signature appears to be directed to a method of enabling a user to include a signature block including a user’s ICQ address in an email message. At best, it appears that Email Signature provides a link to initiate an email communication. Even if it would have been obvious to incorporate such a feature into the ICQ application as described by Quick Tour, the combination would still fail to teach or suggest enabling the presentation of at least one user indication within two or more types of electronic documents, wherein the electronic documents are capable of being generating using two or more types of applications, as required by independent claim 1. Email signature appears to describe an email signature that is viewable by

two or more email applications. Clearly, two or more emails being viewed in different email applications are two or more of the same types of electronic documents that are generated by the same type of application – which is in direct contravention to the recited limitation of claim 1. An email application, which is one type of application, typically generates one type of electronic document – an email.

The Examiner suggests that taking the electronic mail signature described in Email Signature and incorporating it into “chat documents,” “HTML documents,” “Telephonic documents,” and “audio-video document” meets the claim language (*see* Final Office Action, pages 5 and 6). However, even if such an incorporation is possible, there is clearly no suggestion or motivation to incorporate an email signature into any type of electronic document other than an email. Thus, claim 1 is allowable over the cited references.

Independent claims 6, 10, 15, 22, and 23 recite patentable features similar to those described above in reference to claim 1. As such, these claims are allowable for the reasons provided above. Claims 2-5, 7-9, 11-14, and 16-21 depend from and add features to one of the independent claims. Thus, these claims are allowable at least by virtue of their dependency.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Dated: December 1, 2005

Respectfully submitted,

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00909


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